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|------------------------------------|---|--------------------|
| In re Application of | : | |
| LEAH, et al. | : | DECISION ON |
| U.S. Application No.: 10/588,897 | : | |
| PCT No.: PCT/GB05/00355 | : | RENEWED PETITION |
| Int. Filing Date: 02 February 2005 | : | |
| Priority Date: 10 February 2004 | : | UNDER 37 CFR 1.181 |
| Atty Docket No.: XA-10629 | : | |
| For: A METHOD AND APPARATUS FOR | : | |
| OPERATING A SOLID-OXIDE FUEL CELL | : | |
| STACK WITH A MIXED....ELECTROLYTE | : | |

This decision is in response to applicant's renewed petition under 37 CFR 1.181 filed 22 July 2009 in the United States Patent and Trademark Office (USPTO). No petition fee is required.

BACKGROUND

On 22 May 2009, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.181 and notification of abandonment.

On 22 July 2009, applicant filed the present request for reconsideration.

DISCUSSION

A review of the Form PCT/DO/EO/916 mailed to applicant on 30 October 2008 did not list all of the numerous defects in the declaration filed 14 October 2008 and therefore did not afford applicant an opportunity to rectify all of the defects. As such, the Form PCT/DO/EO/916 mailed 30 October 2008 is hereby **VACATED**. An examination of the declaration concurrently filed with the present renewed petition finds that it complies with 37 CFR 1.497(a)-(b).

CONCLUSION

For the reasons stated above, applicant's renewed petition under 37 CFR 1.181 is **GRANTED**.

The Form PCT/DO/EO/916 mailed 30 October 2008 is hereby VACATED.

The application has an international filing date of 02 February 2005 under 35 U.S.C. 363 and will be given a date of **22 July 2009** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.

A handwritten signature in black ink, appearing to read 'Derek A. Putonen', is positioned above the typed name.

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